



Renville County Community Circles Handbook



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1. Introduction

This handbook serves as a general guide that will be followed for the Restorative Justice Community Circles in Renville County. Some of the policies and procedures may be changed or modified as we strive to serve the needs of everyone involved in the process.

The Restorative Justice Circles in Renville County is a community directed process in partnership with the Human Services and Justice Systems. The primary participants in the program are community members who strive to make their communities safer and more community focused by devoting time to work with children and families. The program's development and success would not be possible without the partnering efforts of Human Services, the County Attorney's Office, Sheriff's Office, District Court, and Probation serving Renville County.

2. Mission Statement

Circles will provide a strength-based process to enhance the ability of members of the community to keep individuals, children, and families unified, as well as physically and emotionally safe. Acting through the Circle, all members of the circle will play an equal role in encouraging and assisting participants to identify and enhance their strengths while holding them accountable.

The Circle process will:

- Honor the presence and dignity of every participant
- Value the contributions of every participant
- Emphasize the connectedness of all things
- Support emotional and spiritual expression
- Give equal voice to all*

Community Circles will empower communities, namely all those are affected by crime/social problems, to actively participate in the response to violence and social problems. In this way, Circles will enhance the justice system by holding the youth accountable to the community in which he or she resides. All members of the Circle will become the support system for the victim and offender.

(* Pranis, Kay. *The Little Book of Circle Process: A New/Old Approach to Peacemaking* (Intercourse, PA: Good Books, 2005).

3. Referral Sources:

- System stakeholders (Human Services, Probation, Attorney's Office, Courts, etc.)
- Community members

4. Family Circle Referral Criteria:

- Any family, or community member who would like ongoing support and connections.
- Any community member(s) living in Renville County.
- Any community member(s) in need of solution-focused, community support.

5. Circle Sentencing Referral Guidelines

Suitability of each case referral is determined through consultation between the coordinator, stakeholders and the Court. Following are several factors considered in aiding the determination:

1. Date of offense/negative behavior.
2. The nature of the offense/negative behavior.
3. The youth's history of involvement in the system (Corrections or Human Services).
4. The youth takes responsibility for the incident(s) in question. To participate, the Juvenile must enter a factual basis regarding the incident(s) in court.
5. The youth indicates a genuine desire and/or willingness to change his or her harmful behaviors.
6. Most cases will be juvenile cases. If a case fits the other criteria, and the offender is a young adult, exceptions may be made.
7. The youth lives in and/or committed the crime in Renville County.
8. Reciprocity issues with other Minnesota counties will be considered on a case-by-case basis.

6. What is Circle?

Circle is a value laden process whereby the community helps take responsibility and provides support for its community members. Community is defined by people and not solely by geographical area. Circle is a different way to have conversations, actually sitting in a circle and using a talking piece to direct the dialogue at times. It is a partnership with the system; the system is sharing its authority with the community. Circle is empowering for all who participate, giving everyone a voice in the outcome. The Circle is about accountability, and it provides an opportunity for every voice to be heard and healing to occur in the family and community. The Circle is about decision making; decisions are not the responsibility of one person or a small group of people. The responsibility lies with the group, and all decisions are made by consensus. The Circle is about shared leadership; there is no hierarchy; no one ranks above anyone else in circle. The Circle is about equality; when disagreements are voiced, negotiations proceed, and consensus building is utilized.

7. Values of Circle

The core value of the circle process is reflective of both the necessary qualities which need to be present for each circle to have meaning, as well as a reflection of important *shared* values of the community. No value carries more significance than any other; they are interdependent, sharing certain features among them. Participation in the circle process indicates acceptance of these values both in word and action. This is not a complete list of the shared values in the circles.

Respect

Respect acknowledges the dignity and worth of each individual. It ensures that every participant experiences acceptance into the Circle, and ensures that everyone is heard with equality. Respect in the Circle means that all members of the Circle participate within the guidelines set by the Circle.

Respect is also important in understanding the concept of honoring the talking piece. When others are holding the talking piece, it is important for participants to view the piece as an opportunity for reflection. When the talking piece is rested for open discussion, it continues to have importance and should be honored with discussion in a respectful manner. The talking piece is a symbol of the interconnectedness and shared responsibility of the participants in the Circle, and it should be held respectfully.

Equality and Shared Leadership

The actual leadership of the Circle rests with the Circle itself. It is the responsibility of all circle members to share the leadership; there is no hierarchy, and no one ranks above anyone else. Everyone in the Circle is given equal opportunity to speak with use of the talking piece.

Consensus

All decisions made in the Circle process are done by consensus. Consensus means that those who come together for discussion and decision making agree to listen to all perspectives, and are flexible in working toward a common agreement. Participants understand from the outset that it is unlikely that the group's consensus will exactly match their preference, but instead, a decision everyone can live with will be reached.

Everyone, regardless of their titles and roles, has an equal voice in the Circle, and they have ample opportunity to express their points of view. Respect is critical in achieving the consensus decision-making necessary for circles to be successful. Decisions are not the responsibility of one person or a small group of persons. The responsibility lies with the group present; decisions in circle are not carved in stone and can be altered to fit the circumstances at any time. Equality and use of the talking piece are critical in reaching consensus in circle.

Confidentiality

Confidentiality in circle is often stated as, "What is said in circle stays in circle." Personal and sensitive issues are often discussed in circle by all present. This shared value promotes honesty and respect. All participants are expected to honor this value. The only exceptions to confidentiality in circle are mandated reporter requirements as noted in the confidentiality and mandated reporting section on page 9.

Honesty

Accountability is an indisputably important element in the circle process; trust is necessary for accountability. But neither of them can be achieved without honesty. People need the support of others to make affirmative changes in their lives, and honesty is the basis for building those strong relationships within communities. Furthermore, dishonesty can quickly result in hostile feelings which undermine the circle process. Therefore, it is necessary for each participant to strive for honesty with themselves and others, and to speak with honesty in circle.

Compassion

Compassion indicates a genuine concern for the welfare of others. For the supportive relationships of circles to be built, participants need to enter the circle process open to feeling compassion for others. A compassionate focus on harm and healing, combined with

the flexibility of circles, allows those harmed to be involved in the circle process in whatever ways are comfortable for them. This harm-focus opens the circle to visiting many issues which may underlie the referring incident and which would probably not otherwise be acknowledged. Compassion felt by circle participants enables the Circle to take positive action to repair those issues which contributed to the harm done.

Holding a circle means creating a safe space where these values are honored.

8. Summary of Family Circle Process

- Referral source discusses Circle option with participants, may invite Restorative Justice Coordinator to answer questions.
- Participants will be connected to Restorative Justice Coordinator.
- RJ Coordinator meets with participants, provides further explanation, necessary forms, and schedules first circle.
- The circle will hear the application(s) and reach consensus regarding acceptance.
- The circle will meet bi-weekly, or as needed.
- Through the circle process, the participants will collectively identify a restorative plan, based on the strengths and needs of the youth/family, and will assist with the implementation and completion of the case plan as created with Human Services. (Or any case plan already created with Human Services, Probation, etc.)
- The plan is designed with the participants to strengthen and restore relationships. Additions or modifications may be made to it at any time.
- The participants will attend circle regularly and work towards completion of the Restorative Plan with the support of the circle.
- The coordinator will review the progress made with the referring entity as needed, or every 90 days. This will be the time that any suggested changes or additions to the Restorative Plan will be reported.
- Once the participant(s) has completed the components of the Restorative Plan and consensus is reached by the Circle, the participant(s) is ready to conclude the process. The plan will be sent to the referring entity with a description of what the participant(s) completed while in the Circle program.
- A Celebration Circle will be held for the participant(s) to signify completion.

9. Possible Reasons for Dismissal

- Circle is unable to meet safety needs of the family and/or children.

10. Summary of the Circle Sentencing Process

Before 1st court appearance (Arraignment):

- In some instances, a youth's case may be discussed by stakeholders as a possible referral to Circle prior to arraignment.
- The Restorative Justice Coordinator, the participant's attorney, and/or any of the stakeholders may be available before entering the courtroom on arraignment day to discuss the Circle Sentencing Program and process with the youth and his/her family.

Arraignment or any hearing prior to Trial:

- Youth will provide a factual basis regarding the incident to the court. This factual basis will be accepted by the Court and the matter will be referred to Circle Sentencing by the Court.

Subject to exceptions, certain cases are ineligible for the Circle Process

1. Presumptive Minnesota Sentencing Guideline (MSG) commitment
 2. Sex Crimes
 3. Felony level assaults
- The participant and his/her attorney (if applicable), will complete the Renville County Circle Sentencing Referral Form provided to them by either Court Administration or the Restorative Justice Coordinator. They will also complete a Release of Information Form.
 - As noted on the Referral Form signed by the participant, the factual basis cannot be withdrawn after acceptance into Circle.
 - In exchange for the factual basis, the County Attorney will request a Continuance for Dismissal from the Court. Such continuance would be conditioned upon completion of the Circle Sentencing Process.

Referral Process:

- The Coordinator will meet with the participant and his/her supports/family and explain Circle Sentencing and the application process.
- The participant will be scheduled to attend his/her assigned Circle to present his/her application.
- The Circle will hear the application and reach consensus regarding acceptance.
- The Coordinator will advise all parties of the Circle's decision and forward a copy of the application to the Court, county attorney, defense attorney, probation/human services, or school (if applicable). If the participant is not accepted into Circle or fails to meet with the Coordinator or Circle as directed the matter will be referred back to Court for a settlement conference.

After Acceptance into Circle:

- The Circle will attempt to determine long-term goals and complete a Restorative Plan with the youth. The Restorative Plan is a fluid document that may have additions or modifications as the Circle becomes more familiar with the participant. The Coordinator will forward the Restorative Plan to the Court and appropriate parties within 45 days of acceptance into Circle.

- The participant will attend Circle regularly and work towards completion of the Restorative Plan with the support of the Circle.
- The Coordinator will file a Review Report with the Court or referring party no less than every six months. This will be the time that any changes or additions to the Restorative Plan will be reported.
- If at any time a youth chooses to return to the traditional system or is removed from the Circle for lack of progress or noncompliance with the Restorative Plan the Coordinator will inform all parties promptly and a Settlement Conference will be set. The Continuance for Dismissal will be vacated. The Circle can make any recommendations to the Court regarding the youth's needs or concerns. These recommendations will be provided to the Court by the Coordinator.
- Once the participant has completed the components of the Restorative Plan and consensus is reached by the Circle, the participant is ready to conclude the process and a Final Restorative Plan will be written. The Final Restorative Plan is a complete list/description of the conditions the participant completed while in the Circle Sentencing Program. The Coordinator will forward the Final Restorative Plan to the Court and request that a Settlement Conference be set.
- A Celebration Circle will be held for the participant to signify completion.

Conclusion of Circle Sentencing:

- When the participant has successfully completed Circle, he/she will appear before the Court for a hearing to acknowledge their completion of the components of the Restorative Plan and the file will be closed.
- If the participant is returning to the Court for Settlement Conference after being removed from the Circle or choosing to discontinue participation in Circle the Court will proceed with Settlement Conference as it wishes.

Note:

- Referring Agencies act as liaisons to Circles regarding monitoring and compliance with the Restorative Plan. Communication between the Coordinator and the Referring Agency is critical as removal from Circle will result in the case being returned to the traditional system.

11. New Violations

The participant is expected to self-disclose any new charges or contact with law enforcement or disciplinary proceedings in school to the Circle. Circle participants charged with a new offense while meeting with the Circle may be dismissed from the Circle process at the discretion of the Circle depending upon the severity of the charges, progress of the juvenile, and any other factors considered important by the Circle. If the new offense is a felony or crime against a person it is presumed that the participant will be discharged unless there are extraordinary mitigating factors. The participant also risks dismissal from Circle by court order, without discussion/consent of the Circle if this is a subsequent violation of law or if the health, welfare of the youth or public safety is at risk.

12. Voluntary Participation

Participation for all circle members is completely voluntary, including the referred participants and their identified support people. Participants are able to withdraw from the Circle at any time after they are accepted. The referral party will be informed, and further decisions will be made by that entity. The Circle can make any recommendations to the referring party regarding the participant's needs or concerns. These recommendations will be provided to the referring party by the Coordinator. When applicable victims will always be given a choice about the extent of their participation. They may choose to be directly involved or have someone advocate on their behalf.

13. Victim Notification and Participation

Throughout the Circle process, the victim may choose to participate. The Restorative Justice Coordinator will contact the victim when a youth is accepted to Circle. If the victim indicates interest in participating in the Circle process, he or she will meet with the coordinator for more in-depth information on the program.

Victims will always be given a choice about the extent of their participation. They may choose to be directly involved or have someone advocate on their behalf. Victims will always be invited to participate in a Healing Circle. The purpose of a Healing Circle is to share the pain of the person or persons who have experienced trauma or loss due to crime/negative behavior or actions of others.

The Restorative Justice Coordinator will be responsible to maintain appropriate victim contact as outlined in the Coordinator Expectation section of this handbook. (See page 10-12 pages will change).

14. Confidentiality and Mandated Reporting

Personal and sensitive issues that are discussed in the Circle are kept confidential between the Circle members, including names of participants involved. One of the primary values of the Circle is that what is said in the Circle stays in the Circle. All participants are expected to honor that value. The Restorative Justice Coordinator will keep a running log of brief summaries of the Circle meetings; this will remain factual and objective. It will be available for review by Circle members during Circle meetings in the event a member misses a meeting.

The following are exceptions to the confidentiality of circles. If any of the following are disclosed in a circle, the Restorative Justice Coordinator/Circle Keeper shall report it immediately to the appropriate agency using the required form.

- Threats of homicide
- Threats of suicide
- Abuse of a child
- Abuse of a pregnant woman
- Abuse of a vulnerable adult

The Restorative Justice Coordinator and all Circle Keepers will receive mandated reporter training. In addition to the above, if a report of a criminal activity is made in circle or there is an ongoing investigation, what is said in circle may be used in Court.

15. Full Disclosure

When a participant is accepted to the Circle process, full disclosure of the participants past, current and future contact with child welfare/abuse incidents or reports, or contact with law enforcement or probation and human services is required. This includes all court proceedings, school records, medical records, treatment and placement information and any other significant history. The participant shall disclose all such information as truthfully and promptly as possible, along with signed releases for the information. Any written information regarding the family may be distributed by the Restorative Justice Coordinator to educate circle members during the circle process; however, these documents will be collected at the end of circle. No documents containing private information will leave circle under any circumstances.

16. Coordinator's General Expectations

- Recruit and maintain an adequate volunteer base for the Circles, facilitate trainings and informational sessions as necessary for volunteers and/or stakeholders. Support volunteers and provide guidance when appropriate.
- Facilitate the Circle process, act as circle keeper, and support the guidelines and values of the Circle. Arrange necessary location and meal/snack accommodations for the Circles.
- Keep circle members in contact with each other, record circle activities and support the Circle in its efforts to affect change in the community.
- Facilitate regular Restorative Justice Advisory Council (RJAC) meetings, create agenda and provide related materials to participants. Provide general program updates as well as participant updates to the stakeholders on a regular basis and as requested.
- Provide regular updates to the county board regarding the program's status and accomplishments.
- Act as a liaison between the Circle and probation, human services, schools, local service providers, and criminal justice representatives.
- Keep detailed, accurate records of family and volunteer information.

17. Coordinator's Expectations for Circle Sentencing

- Advise the Court, prosecuting attorney, and/or probation officer/social worker immediately if a youth is believed to be at risk to themselves or others.
- Advise Court and appropriate parties if a youth fails to attend scheduled Circle meetings or meetings with the Coordinator, or otherwise absconds from the Circle's supervision.
- Advise Court and appropriate parties in writing within 5 business days of a youth's termination from or successful completion of Circle.

- Keep youth files organized, maintain accurate up to date file information.
- Check youth's restitution/fine balance regularly, advise Circle of balance, confirm payments.
- Advise local law enforcement of youth involved in Circle, request to be advised if they have negative contact with that youth.

Arrestment:

- Meet with stakeholders to discuss a possible referral prior to the scheduled arraignment.
- Attend scheduled arraignment for potential referral, explain Circle to the youth and his/her family.
- Assist youth in completion of Referral Form and Release of Information Form. Schedule time to meet with youth and his/her family to discuss Circle process and application.

Upon Receipt of Referral:

- Send notification to Court, county attorney, defense attorney, and probation/ human services/school (appropriate parties).
- Meet with youth and his/her family to explain Circle and provide them with application.
- Schedule Application Circle within 14 days of meeting with youth/family.
- Facilitate Application Circle, advise interested parties in writing of the Circle's decision to accept/deny case. Provide copy of application to Court and appropriate parties.

Upon Acceptance to Circle:

- Contact victim(s) (if applicable), advise them that the youth has been referred and accepted into Circle, invite them to participate in process to the extent they wish. Prepare for Healing Circle if victim is willing. Keep the victim informed of the youth's progress in the Circle.
- Engage Circle to draft a Restorative Plan shortly after the youth's acceptance into Circle. Forward copy of Restorative Plan to Court and appropriate parties no later than 45 days after acceptance into Circle.
- Submit written Case Review Reports to Court and all appropriate parties no less than every six months (from date of referral in Court). This report will detail the youth's status in completion of the conditions of the Restorative Plan as well as advise of any changes or additions.
- Prepare/complete the final Restorative Plan Report for youth who have completed the components of the Restorative Plan and who per consensus of the Circle, are ready to conclude the process. Send copies of the Final Restorative Plan to the Court and appropriate parties. Request a hearing to be scheduled.

- Schedule Celebration Circle.

Conclusion of Circle Sentencing:

- Prepare and send Closing Report detailing youth's progress and reflect the Circle's feelings towards the case and any recommendations to Court and all appropriate parties.
- If a youth was removed from Circle or chose not to continue with the process, provide detailed accounts of what the youth did complete as well as the Circle's feelings towards the case and any recommendations to the Court and appropriate parties.

18. Volunteer Expectations

- Honor Confidentiality. Sharing personal information outside the Circle can be harmful. Keep specific discussions held in the Circle process confidential; with the exception of mandated reporting requirements (see Confidentiality and Mandated Reporting Section).
- Follow the Guidelines shared at the beginning of each Circle.
- Report to the Circle any previous relationships with the participant(s), victim, or their support persons OR choose NOT to participate in the process.
- Assist the Coordinator in keeping volunteers in contact with each other, recording plan activities or supporting the process in any other appropriate manner.
- Support victims and offenders in the process.
- Follow through with any commitments made in the process.
- Assist the youth in being accountable to the community and the victim.
- Once committed to serving on a Circle for a particular case, community members agree to make an active effort to attend a majority of meetings for that case. When a community member is unable to attend, they will inform the Coordinator or other volunteer(s). Understand that restructuring of process to accommodate expansion of the program may be necessary.
- Help maintain the safety of the process for all.
- Work to understand those who disagree with you.
- Help clarify misunderstandings – seek correct information.
- Help build consensus by listening to everyone. Consensus doesn't always mean total agreement, but a willingness to support an agreement developed inside the Circle.
- Individuals developing agreements or "voting" outside the process can make consensus difficult.

- In their role as a member, no one should gain financially from other members. This includes youth, victims, support people and other volunteers.
- Volunteers assume responsibility for their own willful violations of the law and intentional falsehood.

19. Responsibilities of Others as Applicable

Defense Attorneys

- Become familiar with the Circle process before referring families to the program by reading program materials or contacting the coordinator.
- Defense attorneys are welcome, but not required, to attend the Circle meetings for their clients.

Prosecuting Attorneys

- Become familiar with the Circle process before referring families to the program by reading program materials or contacting the coordinator.
- Prosecuting attorneys are welcome, but not required, to attend circle meetings.

Local Law Enforcement

- Support Community and Family Circles by responding to questions and requests by the Circle as appropriate.
- Notify the coordinator or any circle member of any family in the circle process who is known not to be following their Restorative Plan.
- Law enforcement officers are welcome, but not required, to attend circle meetings.

Human Service Workers

- Support Community and Family Circles by responding to questions and requests by the Circle as appropriate.
- Assist the Circle and or coordinator in determining necessary services and providers, aid in the facilitation of services if necessary.
- If known, notify the coordinator when a family is not adhering to their Restorative Plan.
- Social workers are welcome, but not required, to attend the Circle meetings for their clients.

Teachers and School Representatives

- Support the Community and Family Circles by responding to questions and requests by the Circle as appropriate.
- If known, notify the coordinator when a family is not adhering to their Restorative Plan.

- Teachers/school representatives are welcome, but not required, to attend the Circle meetings.

Participating Family or Individual

- Complete the application process.
- Agree to voluntary participation
- Attend ALL scheduled circles and court dates, and participate fully and honestly in circle meetings.
- Make active effort to follow all Restorative Plan agreements developed in the Circle.
- A family may choose to terminate involvement in the Circle program at any time, understanding the matter will be referred back to the referring source.

Participant's Support People

- Act in support of the referred participant(s) in the Circle meetings; advocate for the needs of the participant.
- Bring any input from the family to the Circle if the family would like to have input but chooses not to attend in person.
- Follow through with any commitments made in the Circle meetings.

RENVILLE COUNTY RESTORATIVE JUSTICE DEPARTMENT

INFORMED CONSENT RELEASE OF PREDATORY OFFENDER REGISTRATION & CRIMINAL HISTORY DATA

As a potential volunteer for the Renville County Restorative Justice Program, you are being asked to supply private data. The data you provide will be used to conduct a Computerized Criminal History inquiry through the MN Bureau of Criminal Apprehension, as well as other related records checks. A background check will be conducted to determine your suitability for this type of work.

You may refuse to provide any requested data. However, refusal to provide the requested data will prevent the Renville County Sheriff's Office (on behalf of Renville County Restorative Justice) from conducting an adequate background investigation, which, in turn, may cause your volunteer request to be denied.

PLEASE PRINT LEGIBLY USE COMPLETE NAME, INCLUDING *FULL MIDDLE*

Last Name: _____ First Name: _____ Middle Name: _____

Maiden, Alias or Former: _____

Date of Birth: _____ Sex (M or F): _____
(Month-Day-Year)

*Social Security Number: _____
(*Optional, though we request your SS Number to distinguish you from others with similar identifying information.)

Driver License Number: _____ Issuing State: _____

Current Address: _____

City, State, Zip Code: _____

Private data, unless authorized by State statute or Federal law, will not be released to any other person or agency without your written consent except under court order or if otherwise authorized or required by law. A written consent for release of private data is known as "informed consent." Any public data you provide is available to anyone requesting it.

- I understand that the above information is requested with the intention to check my background. I am not required to provide the data. Furthermore, I understand that I may refuse to provide any of the information requested, but in doing so it may prevent the Renville County Sheriff's Office and Renville County Restorative Justice Program from conducting an adequate background investigation. **I understand the above notice of rights; also known as the Tennessee Warning.**
- For the purpose of volunteering with the Renville County Restorative Justice Program, I hereby authorize and grant my informed consent to the MN Bureau of Criminal Apprehension to release to the Renville County Sheriff's Office, on behalf of the Renville County Restorative Justice Program Coordinator, any information contained about me in a ***MN Computerized Criminal History*** and the ***MN Predatory Offender Registry*** including, but not limited to, information related to offenses which may have occurred when I was a juvenile.
- I hereby release the MN Bureau of Criminal Apprehension, Renville County Sheriff's Office, and Renville County Restorative Justice Program from any and all actions and causes of action of any kind and nature whatsoever (past, present, and future) arising out of the release of information obtained with this consent. This authorization shall be valid for a period of twelve (12) months from the date of signature.

Signature: _____ Date: _____

Notary Public Signature: _____ Date: _____

Notary Stamp: _____

RENVILLE COUNTY RESTORATIVE JUSTICE DEPARTMENT

CIRCLE VOLUNTEER FORM

Name: _____

Address: _____

Primary Phone: _____ Alt. Phone: _____

Email: _____

1. I have read the Renville County Restorative Justice Program's *Community Circles Handbook*. I have met with the Coordinator to discuss the Circle process.
2. I understand the purpose of the Circle is to provide a strength-based process to enhance the ability of families and communities to keep children and families physically and emotionally safe and unified.
3. I understand the seriousness of my role in the Circle. Confidentiality is important. What is said in the Circle stays in the Circle. If I disrespect this request, my participation in the Circle process may be discontinued.
4. I understand that if I plan to have any one-to-one contact with referred parties outside of the Circle, I will be asked to share my plan with the Circle and/or Coordinator.
5. I understand that in order to participate in the Circle I must submit to a background check. This is done to protect all participants from potential volunteers with a history of predatory/aggressive behaviors. It will not exclude potential volunteers solely on past convictions.
6. I understand that the Renville County Restorative Justice Program's Community Circle Program has the right to refuse/reject a volunteer's request to participate at any time if they are a threat to the integrity of the Circle and its values.
7. If I choose to provide transportation for any youth or their families, I attest that I have a valid driver's license in the State in which I reside. I also attest that the vehicle I would use has current insurance, registration and tabs as required by MN State Statutes.

Signature of Volunteer

Date

Renville County Family and Community Circle REFERRAL FORM

If you are seeking admission into the Family and Community Circle you must agree to the following conditions:

I understand and agree to the following:

1. I agree that my participation in this process is voluntary.
2. Once referred to circle, I agree to fully cooperate with the Circle process. If I am removed from the Circle for any reason, the referring party will be notified. The Circle has the right to modify the Restorative Plan for non-compliance or make changes because of circumstances at any time.
3. I understand that my right to privacy is generally protected by state and federal law. However, due to my participation in the Family and Community Circle program, I relinquish a degree of privacy to gain the benefits of the Circle process. While members of the Circle are encouraged to respect my privacy, there are no guarantees that my privacy will be protected.
4. I understand and agree that if during this process I disclose information about physical abuse, neglect or sexual abuse of a child, or maltreatment of a vulnerable adult, this information must be reported to the local welfare agencies. This includes the police department or the county sheriff under Minnesota Statute 626.556 or 626.557. The report may result in further court proceedings, including criminal prosecution.
5. I understand that the Family and Community Circle Program contains a survey component while attending the program and it continues for two years after completion of the program. The surveys justify and sustain the program through measured outcomes.
6. I have reviewed this information with my attorney, or have been given the opportunity to consult with my attorney at my expense but have chosen not to.

DATED: _____

(Signature of applicant/s)

(Signature of witness)

Send Necessary Referral Information To:
Andrew Peltz, Restorative Justice Coordinator
105 South 5th Street, Suite 119
Olivia Minnesota 56277

**Renville County Circle Sentencing
Referral Form**

If you are seeking admission to Renville County Circle Sentencing, you must agree to the following conditions:

I understand and agree to the following:

1. I must enter a factual basis in court.
2. Once referred to the Circle by the Court I may not withdraw my factual basis. Thereafter, I agree to fully cooperate with the process. If the circle is unable to reach a final Restorative Plan, or if I am removed from the circle for any reason, including noncompliance with the Restorative Plan, I will be returned to court for sentencing without the benefit of any plea agreement. There will be no right to appeal the eviction decision of the Circle or have a court review the Circle's eviction decision. The Circle has the right to modify the Restorative Plan at any time, but changes or additions must be agreed upon by the Circle.
3. Under various Minnesota laws, I am entitled to a certain extent of privacy. By entering Circle, I give up my right to privacy. I understand and agree that my personal and criminal history that may detailed in a pre-sentence investigation or juvenile predisposition report may be accessible to Circle members. Psychiatric and psychological assessments/evaluations and any drug, alcohol, chemical dependency and/or sex offender assessments evaluations may also be available for the public who are involved in circle. While members of the Circle are encouraged to respect my privacy, there are no guarantees or assurances that my privacy will be protected.
4. I understand and agree that if during this process I disclose information about physical abuse, neglect or sexual abuse of a child, or maltreatment of a vulnerable adult, that information must be reported to the local welfare agency, police department, or the county sheriff under Minnesota Statute 626.556 or 626.557, and may result in further court proceedings, including criminal prosecution.
5. If I am accepted by the Circle, I agree to sign any consents or releases of information about myself that are requested by the Circle. This may include authorizations for new or updated assessments or evaluations.
6. _____ I have reviewed this information with my attorney.
_____ I have no attorney and I give up my right to review this information with an attorney.
Dated: _____ witnessed and approved by parent/guardian

(Signature of applicant)

Signature of parent/guardian

**COURT ADMINISTRATOR'S OFFICE:
SEND NECESSARY REFERRAL INFORMATION TO:
Andrew Peltz, Restorative Justice Coordinator
Renville County Government Service Center
105 S 5th street, Suite 119
Olivia, MN 56241**

CONSENT FOR THE RELEASE OF INFORMATION

I, _____, DOB _____, hereby authorize the Renville County Restorative Justice Department to receive/release/exchange information with:

Name/Organization: _____ Phone: _____

Address: _____ Fax: _____

Information to be released:

- | | |
|--|--|
| <input type="checkbox"/> Rest. Just. Advisory Committee | <input type="checkbox"/> Law Enforcement _____ |
| <input type="checkbox"/> Renville County Attorney's Office | <input type="checkbox"/> School/Education Records |
| <input type="checkbox"/> Human Services Records | <input type="checkbox"/> Health Information (medical/mental) |
| <input type="checkbox"/> MN DOC Renville Co. Probation | <input type="checkbox"/> Psychological or Psychiatric info. |

Other: _____

Purpose of Release: Cooperation with Renville Restorative Justice Department

I understand that:

- The information exchanged may be health information, chemical dependency information, or psychiatric information, and may be exchanged verbally or in writing.
- I may stop this consent at any time by written notice to the Renville County Restorative Justice Dept. I understand the notice will not apply to information already released in response to this authorization.
- I understand that my right to privacy is generally protected by state and federal law. However, due to my participation in the Family and Community Circle program, I relinquish a degree of privacy to gain the benefits of the Circle process. While members of the Circle are encouraged to respect my privacy, there are no guarantees that my privacy will be protected.

Specification of the date, event or condition upon which this consent expires:

_____ or upon dismissal from the Renville Co. Restorative Justice Dept.
(one-year maximum)

Dated: _____

Signature of Subject of Data

Signature of Witness

Signature of Parent or Guardian

Family and Community Circle Application Form

Name: _____

Address: _____

Telephone: _____ (Home) _____ (Work/Cell/Other)

Email: _____

Children and Ages: _____

1. Share what you would like the Circle to know about what brought you to circle. (Use the back if needed):

2. What are your family's strengths? What do you like about your family?

3. Who/what is important to you?

4. How has your current situation affected you? How has it affected your family or friends?

5. What are your worries at this time?

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6. What would family or friends say are their worries for you?

7. What do you feel are the next best steps you could take in order to strengthen the well-being of yourself / family?

8. How do you feel the Circle can help you? What are your best hopes for yourself / family while participating in the Circle program?

PERMISSION

I grant permission for my criminal/traffic record, and any prior human service case information, evaluations, and assessments to be released to Renville Community Circle.

I will commit my time to attend circle meetings as directed by the Circle. I will inform the Circle of the steps I am or will be taking to progress with my Restorative Plan.

Applicant's Signature

Date

Parent/Guardian Signature (if applicable)

Date

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SUPPORT PEOPLE: List at least two support people. Preferably these individuals will be family members or friends that you would feel comfortable talking to about personal issues during times of need. Support members must read the following and agree to the required activities.

As a support person, I will attend circle meetings and will work with the Circle to help carry out the plan developed for this applicant. I will be honest and respect the values of the Circle.

1. _____
Name (print) Telephone Date

Signature

2. _____
Name (print) Telephone Date

Signature

ACCEPTANCE INTO CIRCLE:

The Renville County Community Circles program accepts _____ rejects _____ applicant into the Circle.

Signature of Coordinator Date

6. What are the first steps you need to take in order to take personal responsibility for your actions and make things right again?

7. What steps do you need to take in order to prevent this behavior in the future?

PERMISSION

I grant permission for my criminal/traffic record, juvenile, record, and any pre-Sentence report and evaluation and assessments to be released to the Community Justice Circle.

I will commit my time to attend Circle meetings as directed by the Circle. I will inform the Circle of the steps I am or will be taking to achieve my goals. I will also commit my time to any sentencing plan set up by the Sentencing Circle.

Applicant's Signature

Date

Parent/Guardian's Signature

Date

SUPPORT PEOPLE: List at least two support people. Preferably these individuals will be family members or friends that are substance free and that you would feel comfortable talking to about personal issues during the times of need. Support members must read the following and agree to the required activities.

As a support person, I will attend Circle meetings and will work with the Circle to help carry out the plan developed for this applicant. I will be honest and respect the values of Circle.

1. _____
Name (print) Phone

Signature Date

2. _____
Name (print) Phone

Signature Date

ACCEPTANCE INTO CIRCLE:

The Renville County Circle Sentencing ___ accepts ___ rejects applicant into the Circle.

Signature of Restorative Justice Coordinator Date

**Community Circle
RESTORATIVE PLAN**

NAME:

ADDRESS:

DATE:

Reports and/or references considered by the Circle include:

1. Police Reports
2. Application to Circle
3. Self and family report

The Circle met with _____ and agreed through consensus to the following goals:

- 1.
- 2.
- 3.
- 4.
- 5.

Signature-Applicant

Date

Signature-Parent/Guardian

Date

Signature-Facilitator

Date

Signature-Community Members

Date

Signature-Community Members

Date

Signature-Community Members

Date

Signature-Community Members

Date

Signature-Community Members

Date

Court and Human Services Terminology

This outline is only meant to assist restorative justice volunteers and participants in understanding some of the procedures, jargon and frequently used terminology.

Adjudication: Determination by the court that a child is found guilty. The court can withhold adjudication for one 90-day period and dismiss a case if both parents and child have complied with the terms of the agreement.

Agreement for Temporary Care and Custody of a Child/VPA (Voluntary Placement Agreement): An agreement between the county child welfare agency and the parents, under which the county accepts the legal responsibility for a child without court involvement, for a brief, specified period of time. Parents entering into a VPA agreement are generally cooperative and willing to work with the agency to complete the case plan.

Arraignment Hearing: usually the child initial hearing at which time the court insures that the child and parents understand their rights, the charge and possible consequence. The child must admit or deny the charge at this time.

Assessment: Gathering and evaluating information about a child, the family and their circumstances. The purpose is to determine a child's risk of harm, the need for immediate intervention to assure the child's safety and the family's needs for services. Childcare assessments are usually coordinated by the social services department, but work with other agencies (such as education and health).

Best Interests of the Child: Standard for deciding among alternative plans for maltreated children. The child's best interests, the child's psychological as well as physical well-being must be considered.

CHIPS: Child in Need of Protection or Services. A child is alleged to be in need of protection or services via a petition filed usually by a social service agency, the petition must allege one of the grounds listed in Minnesota Statute 260C.007.

Delinquent: a child who is at least 10 years of age, but not more than 18 years of age, who has committed an act that would be a crime if committed by an adult. M.S. 260.015.

Detention: The temporary holding of a child, in either a secure or non-secure facility, until the next appearance in juvenile court. M.S.260.165 to 260.173.

Dismissal: Action by the court in which the court relinquishes jurisdiction over a given case.

Disposition/Settlement Conference Hearing: The hearing at which the juvenile court judge decides the appropriate sanctions and necessary follow-up programming for an "adjudicated delinquent". Similar to sentencing hearing in adult court. M.S.260.155.

Egregious Harm: The infliction of bodily injury or neglect of a child, which demonstrates a grossly inadequate ability to provide minimally adequate parental care. (Minnesota Statute 260C.007)

Emergency Protection Order: A court order resulting from an Emergency Protective Care (EPC) hearing that authorizes the removal of the child or the prevention of the child's removal to protect the child from harm. The order gives the applicant "parental responsibility" for the child.

Emotional Maltreatment: The consistent, deliberate infliction of mental harm on a child by a person responsible for the child's care that has an observable, sustained and adverse effect on the child's

physical, mental or emotional development. Emotional maltreatment does not include reasonable training or discipline administered by the person responsible for the child's care or the reasonable exercise of authority by that person. (Minnesota Statute 260C.007)

Family Assessment: A Family Assessment involves an evaluation of a child's safety, the risk for subsequent child maltreatment, and the family's strengths and needs. The focus of Family Assessment is to engage the family's protective capacities and offer services that address the immediate and ongoing safety concerns of a child. Family Assessment uses strength-based interventions and involves the family in planning for and selecting services.

Foster Care: Temporary licensed residential care provided to a minor child; can include care by a non-biological foster family, group care, residential care or institutional care. (Minnesota Statute 260C.007)

Guardian ad Litem (GAL): A person appointed by the court to investigate a child's circumstances and to report to the court. The GAL does not legally represent the child, but seeks to present a nonpartisan view of the child's best interest to the court.

Indian Child Welfare Act (ICWA): Federal law enacted in 1978 that establishes specific guidelines for working with Native American children and families in the child welfare system.

Intake: A process by which Social Service Agencies receive reports of suspected incidents from community professionals, the general public and mandated reporters. Social Service staff must determine the appropriateness of the report and the response needed.

Maltreatment: A general term that includes physical and sexual abuse, neglect and mental injury.

Neglect: Failure to provide for a child's basic survival needs, such as food, clothing, shelter, education and supervision, to the extent that the failure represents a hazard to the child's health or safety. Determining neglect for lack of supervision depends upon the child's age and competence, the amount and degree of parental planning for the unsupervised time and time of day when the child is unsupervised.

Petition: The legal document which describes the alleged offense committed by the child. Similar to a complaint in adult court. M.S. 260.131.

Physical Abuse: Any bodily injury inflicted on a child, other than by accidental means, by a person responsible for the child's care. This also includes any bodily injury that cannot reasonably be explained by the child's history of injuries. (Minnesota Statute 245.825)

Police Order of Protection/72-Hour Hold: The reporting of maltreatment (Minnesota Statute 626.556) which allows the police to detain children or prevent their removal from home for up to 72 hours (excluding weekends and holidays) if they believe that the child would otherwise suffer significant harm. The police need to consult with the children's parents or care takers and the local welfare agency.

Pre-dispositional Report (PDI): Also known as a Social History, this is in fact a pre-sentence investigation (PSI) which contains much of the same information as its adult counterpart. M.S. 260.151, 260.181, 260.311.

Probation: A juvenile court Disposition/ Settlement Conference which places the adjudicated delinquent back into the community under the supervision of a probation officer. M.S.260.185

Probation Officer: A person employed at the local level who provides supervision and counseling of juveniles who are under the jurisdiction of the juvenile court, and/or released from a state juvenile correction facility by the Commissioner of Corrections. M.S.260.311.

Psychological Evaluation/ Rule 79 and Rule 20: An evaluation completed by a qualified professional determining risk and needs regarding a person's mental health.

Respite Care: Substitute to provide relief for the primary caregiver of a child for a few hours to a few days.

Termination of Parental Rights (TPR): A court proceeding that can be sought by county agency or by the parents to sever all ties between child and parents.

Trial: When the charge stated in the petition is denied by the child and not dismissed by the court, the judge hears and decides the case. Jury trials are not held in Juvenile court.

Acronyms

DHS - Department of Human Services: State agency which supervises county-administered state and federal programs.

CUA/Rule 25 - Chemical Use Assessment: A face-to-face assessment interview and written listing of the client's specific problems related to chemical use and risk description that will enable the assessor to determine an appropriate treatment planning decision.

DA/Rule 79 – Diagnostic Assessment: A written evaluation for person's: current life situation and sources of stress, including reasons for referral; current functioning and symptoms; history of current mental problem, including important development incidents, strengths, and vulnerabilities; diagnosis, including whether or not the person has SED or is SPMI; and needed mental health services. The assessment determines a recipient's eligibility for mental health services and must be conducted by a mental health professional.

HRO - Harassment Restraining Order: A Harassment Restraining Order is a civil matter where a Petitioner (the party seeking the order) seeks a court order that sets conditions on a Respondent (the alleged harasser) where harassment is alleged. Although a Harassment Restraining order is not a criminal proceeding, there may be criminal penalties if the Respondent violates the conditions outlined in the HRO. The order is effective throughout the state of Minnesota.

IEP – Individual Education Plan: An IEP is written for students receiving special education services and details what a student needs in order to learn, what he/she will do in school, and what special services are specifically needed. The IEP is written once a year and can be changed. The IEP makes sure that students, parents, and teachers know what the educational program will be this year.

PCA - Personal Care Attendant: Person trained in methods of caring for sick or disabled individuals and who works directly in the disabled person's home helping them to accomplish tasks of daily living such as bathing, shopping, cooking.

OFP – Order for Protection: An Order for Protection (OFP) is a court order forbidding the Respondent (the alleged abusing party) from physically harming the Petitioner (the person seeking an OFP) or any minor child(ren) in the home, or from causing fear of immediate physical harm. The Respondent may also be prohibited from entering the Petitioner's home.

SED - Seriously Emotionally Disturbed: Persons from birth up to age 18 who currently or at any time during the past year have had a diagnosable mental, behavioral or emotional disorder of sufficient duration to meet diagnostic criteria specified with DSMIII that resulted in functional impairment which substantially interferes with or limits the child's role functioning in family, school or community activities.

WIC - Women, Infants, and Children Nutrition Program: A federal program authorized to provide nutritious food and nutrition education to low-income pregnant and postpartum women and their children.

LEVELS OF OFFENSES:

Petty Misdemeanor. Maximum ADULT sentence is \$300.00 fine. No jail sentence.

Misdemeanor. Maximum ADULT sentence may be 90 days in jail and \$1000.00 fine.

Gross Misdemeanor. Maximum ADULT sentence is one year in jail and \$3,000.00 fine.

Felony. ADULT Sentence of a year and a day in prison, or more.

With support from:

Renville County District Court
Renville County Attorney's Office
Renville County Human Services
Renville County Probation - MN DOC
Renville County Board of Commissioners
Renville County Administration
Renville County Sheriff's Office

Dedication

This program was modeled after Restorative programs existing in the Southwest Region of Minnesota. These programs include; Yellow Medicine County Restorative Justice Department, Southwest Health and Human Services Circle Program, Redwood County Restorative Justice Department, Kandiyohi Restorative Justice Diversion Program, Chippewa Circle Sentencing Program, and Swift County Restorative Practices. We would like to thank them for their work and using Restorative Practices to support families in their communities.

Adopted 2018



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